

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES
PERSONNEL OPERATIONS MANUAL
POM

Subject: LEAVE, ALL TYPES

REFERENCES	SECTIONS
Human Resources (HR) Policy Memos http://www.dgs.ca.gov/ohr/Home/HRPolicyMemos.aspx	03-035, 01-033, 02-022, 07-014
Law & Regulation http://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&Action=ExpandTree&AP=I6C9E45D0D48E11DEBC02831C6D6C108E&ItemKey=I6C9E45D0D48E11DEBC02831C6D6C108E&RP=%2Ftoc%2Fdefault%2Ewl&Service=TOC&RS=WEBL13.04&VR=2.0&SPa=CCR-1000&pbcc=DA010192&fragment#I6C9E45D0D48E11DEBC02831C6D6C108E http://leginfo.legislature.ca.gov/faces/codes_displayexpand.edbranch.xhtml http://www.dol.gov/whd/fmla/fmlaAmended.htm http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr;sid=f01c1c7fb37a0642408d4ca83d404ef9;rgn=dv5;view=text;node=29%3a3.1.1.3.54;idno=29;cc=ecfr	GC: 19858.3-19858.7 12945,1, 12945.2 DPA Rule: 599.752, 599.753, 599.776, 599.777, 599.925, 599.911, 599.913, 599.925.1 CA Labor Code: 230.8 Dept. of Labor, Public Law 103-3 Code of Federal Regulations (CFR) 29, Chapter V, Part 825
Memo of Understanding (MOU) http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx	Refer to Employee's MOU
Pay Scales http://www.calhr.ca.gov/state-hr-professionals/Pages/pay-scales.aspx	14
Responsible Control Agency and Program http://www.calhr.ca.gov/Pages/home.aspx	CalHR
SPB/CalHR Policy Memos http://www.calhr.ca.gov/state-hr-professionals/Pages/policy-memos.aspx	PML: 92-89, 92-107, 93-68, 93-73, 94-61, 94-67, 95-018, 95-049, 95-058, 96-043, 97-012, 98-037, 99-050, 99-070, 2000-022, 2000-039, 2003-045, 2004-037, 2004-044, 2004-036, 2001-043, 2001-058, 91-61, 2005-004, 2005-032, 2005-036, 2007-012
Other:	
CA Family Rights Act http://www.dfeh.ca.gov/Publications_CFRADefined.htm State Controller's Office Leave Accounting Letter http://www.sco.ca.gov/ppsd_sco_letters.html California State Employees' Handbook to Work and Family Policies and Benefits http://www.documents.dgs.ca.gov/ohr/pom/WorkandFamilyHandbook.pdf FMLA/CFRA Comparison Chart http://www.documents.dgs.ca.gov/ohr/pom/FMLA-CFRAREgsTable-2.pdf	#04-020

Leave, All Types

Policy It is the policy of the DGS to allow eligible employees the benefit of leave in accordance with Government Code (GC), California Human Resources Department (CalHR) rules, and CalHR policy.

Types The following leave types (blocks) briefly discuss the various types of leave available to eligible employees that are not listed on the [Leave Chart](#).

Absence without leave (AWOL) Under special circumstances, state employees can be absent from work without pay. Absence without leave (AWOL) is subject to various Memoranda of Understanding (MOU) and may be cause for discipline and/or may result when:

- An employee is absent without his/her supervisor's approval
 - S/he is absent for five consecutive days, which is considered an automatic resignation
 - An employee's attendance is continually erratic; the supervisor can place the employee on notice. (Refer to Personnel Operations Manual (POM) section "Absence Without Leave at: <http://www.dgs.ca.gov/ohr/Resources/PersonnelOperationsManualPOM.aspx>
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Catastrophic leave The purpose of catastrophic leave is to assist employees who are facing financial hardship due to catastrophic injury or illness or due to the effect of a natural disaster by providing for donation and transfer of eligible leave credits from other employees.

Represented employees may receive donations from non-represented or represented employees. The total leave credits received shall normally not exceed three months, however, the DGS may approve an additional three months of catastrophic leave donations for a total of not more than six months for any one catastrophic injury or illness.

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Leave, All Types, Continued

Supplemental Disability Leave All excluded employees and rank-and-file employees in all Bargaining Units (BU), except BU 5, who meet the eligibility requirements for IDL are eligible for supplemental disability leave.

If eligible, an employee may supplement IDL with sick leave, compensating time off, vacation, annual leave, personal leave, or holiday credit each month. Fractions of an hour may not be used. Credits used for supplementation will not be restored. IDL may be supplemented up to an employee's full net salary or s/he may choose to supplement with less time. Once an employee selects the level of supplementation, it can't be increased. The supplementation amount may be decreased or terminated at any point, but changes will be made on a prospective basis only. The effective date of any change will be the first day of the pay period following the pay period in which the change was submitted. [Click here for additional information.](#)

Union leave The Union (all MOUs) has the choice of requesting an unpaid leave of absence or a paid leave of absence (union leave) for a Union bargaining council representative, steward, or chief job steward. An unpaid leave of absence may be granted by the DGS pursuant to the unpaid leave of absence provisions in each MOU. Union leave may also be granted during the term of an MOU at the discretion of the DGS Director or designee in accordance to the following:

- The Union leave shall normally be requested and approved on a State approved form 14 calendar days prior to the date of the leave
- The Union leave request form shall be signed by either the DGS Director or Designee and no other signature will be honored by the State
- A Union leave shall assure an employee the right to his/her former position upon termination of leave. The term former position is defined in Government Code Section 18522

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Leave, All Types, Continued

Union leave (continued)

- The Union agrees to reimburse the DGS for the full amount of the affected employee's salary, plus an additional amount equal to 35% of the affected employee's salary, for all the time the employee is off on a Union leave, within 60 days of billing. Disputes regarding reimbursement shall be resolved through the arbitration process
 - The affected employee shall have no right to return from Union leave earlier than the agreed upon date without the approval of the DGS
 - Except in emergencies or layoff situations, Union leave shall not be terminated by the DGS prior to the expiration date
 - Employees on Union leave shall suffer no loss of compensation or benefits
 - Employees on Union leave under the MOU provision and the Union shall waive any and all claims against the DGS, for an injury or injuries sustained while on Union leave, the Union agrees to indemnify and hold harmless the DGS from both Workers' Compensation liability and any costs of legal defense incurred as a result of the filing of the claim
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Voluntary personal leave (VPLP)

The CalHR announced the end of the mandatory Personal Leave Program (PLP) for all employees. The following provides the effective date, impact, and information and procedures on participating in the Voluntary Personal Leave Program (VPLP).

Effective July 1, 2004:

- No longer required to participate in the mandatory PLP
 - Accruing an extra day of leave each month is discontinued
 - A salary adjustment was issued to restore the PLP reduction for July
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Leave, All Types, Continued

**Voluntary
personal
leave (VPLP)**
(continued)

A cap on the maximum number of VPLP hours certain employees can accrue became effective January 1, 2007.

The 240-hour cap applies to rank and file employees in Bargaining Units 1, 3, 4, 5, 10, 11, 14, 15, 17, 20, 21, and all excluded employees.

Voluntary PLP

- Can participate by earning 8 or 16 hours of VPLP per month
- A 5% reduction in base pay will be calculated for each 8 hours
- The 5% raise will be counted as part of an employee's salary for retirement purposes
- An employee would continue to receive leave credit in lieu of taxable cash in his/her paycheck
- An employee must stay in the program for a minimum of 12 months
- If interested, complete the "Request For Voluntary Personal Leave Program (VPLP)" form and submit to the Personnel Transactions Unit (PTU)
- Request must be received by the 15th of the month to be effective the first day of the pay period
- Any forms received after the 15th of the month will be effective the first day of the following pay period

Special note:

- Bargaining Units 12 and 13 did not participate in PLP and do not have the option to participate in the VPLP
- Statutory exempts, who do not earn leave credits, are not eligible to participate in VPLP

Click on "[Request for VPLP \(OHR 35\)](#)" for a copy of the election form.
